

09/200.587 11/27/99

SEAL

E

SEA-1



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MICHAEL ZIMMERMAN

PO BOX 50723

PALO ALTO CA 94303

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	2837	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	------	---------------------

05/12/99

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/200,587

Applicant(s)

Seal

Examiner  
Jeff Donels

Group Art Unit  
2837



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 12-14 is/are allowed.

☒ Claim(s) 1-9, 11, 15, 16, and 18-20 is/are rejected.

☒ Claim(s) 10 and 17 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2837

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

Claims 2-9,11,15,19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2,8 fail to point out and distinctly claim Applicant's invention, as it is not clear as to what "the same" refers. Correction is required.

Claims 3,5,6,15 fail to point out and distinctly claim Applicant's invention, as there are no limits, either taught or recited, which define what is meant by "between about ..." The combination of the two words which define ranges here render the phrase indefinite. Correction is required.

Claims 7,8,11 fail to point out and distinctly claim Applicant's invention, as there are no limits, either taught or recited, which define what is meant by the term "generally." Correction is required.

Claims 11,19 fails to point out and distinctly claim Applicant's invention, as there are no limits, either taught or recited, which define what is meant by the term "relatively." Correction is required.

Art Unit: 2837

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1 and 20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by  
Glasser.

See especially Figs. 1 and 5.

Claims 1,7,20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by  
Stephens.

See especially Fig. 1, where items 2a and 2b read on the claimed blade stiffeners.

Claims 16,18,19,20 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by  
Chase.

See especially Figs. 2,3, and 13.

Claims 12-14 are allowed.

Claims 2-6,8,9,15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Art Unit: 2837

Claims 10 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. John and Janes are further cited to show related teachings in the art of stringed instruments.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Donels whose telephone number is (703) 308-3115. The examiner can normally be reached on Monday - Thursday from 8:30 AM - 6:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Shoop, can be reached on (703) 308-3103. The fax number for this Technology Center is (703) 305-3431.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-1782.



JWD

May 10, 1999



JEFF DONELS  
PATENT EXAMINER  
TECH CENTER 2800